

FILED '06 SEP 11 14:43 USDC-ORN

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

GARY O. HATHAWAY,	)	
	)	
Plaintiff,	)	CV 05-98-CO
	)	
v.	)	ORDER
	)	
ROGUE VALLEY TRANSPORTATION	)	
DISTRICT, an Oregon special	)	
district, et al.,	)	
	)	
Defendants.	)	

**PANNER, J.**

On August 17, 2006, Magistrate Judge Cooney filed his Findings and Recommendation (docket # 40), recommending that Plaintiff's motion (# 35) for leave to file a third amended complaint, and for leave to reopen discovery, be granted. The matter is now before me for review pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). I find no error.

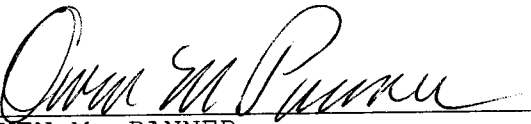
**Conclusion**

Magistrate Judge Cooney's Findings and Recommendation (docket # 40) are adopted. Plaintiff's motion (# 35) for leave to file a third amended complaint, and for leave to reopen

discovery, is granted. Judge Cooney will enter an order establishing a new discovery deadline.

IT IS SO ORDERED.

DATED this 10 day of September, 2006.

  
OWEN M. PANNER  
U.S. DISTRICT JUDGE